

Article - Public Utilities

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§27–107.

(a) (1) Before a person begins underground construction in a public roadway in the sanitary district, the person shall file with the Commission a construction plan that shows the location and depth of the proposed main, conduit, or pipe in the public roadway.

(2) Construction may not begin before the Commission approves the plan.

(3) Unless the Commission approves the change, a change may not be made in the physical location of the main, conduit, or pipe shown on the plan.

(b) (1) The Commission may remove or change the location of a conduit, main, or pipe that interferes with the operation of the Commission's water and sewer systems if:

(i) the conduit, main, or pipe is constructed without the Commission's approval; or

(ii) the physical location of the conduit, main, or pipe is changed from that shown on the plan approved by the Commission.

(2) The person that constructed the interfering conduit, main, or pipe, or the person's successor, shall pay the expenses of the removal or change in location.

(3) The Commission is not liable for damage to the interfering conduit, main, or pipe because of construction or maintenance of the Commission's water and sewer systems.

(c) (1) If a person has a building, conduit, pipe, track, or other physical obstruction on a public roadway in Montgomery County or Prince George's County that blocks or impedes the Commission's water or sewer system, on reasonable notice from the Commission, the person shall promptly adjust, accommodate, or remove the obstruction at the person's expense and in a manner that fully meets the Commission's needs.

(2) The Commission may condemn an easement in a franchise or right in accordance with Title 21, Subtitle 1 of this article.

(d) The Commission may charge a reasonable fee for any permit that the Commission is required to obtain and for engineering services that the Commission is required to perform under this section.

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